

## Message Text

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43

ACTION SNM-02

INFO OCT-01 EUR-25 ADP-00 RSR-01 RSC-01 /030 W

----- 130359

R 050926Z JUL 73

FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC 8006

INFO AMEMBASSY PARIS

BNDD HQS WASHDC

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SECSTATE FOR S/NM-WELLMAN

BNDD HQS FOR ENCC/DURKIN

PARIS FOR DEA

FROM GUY

E.O. 11652: N/A

TAGS: SNAR

SUBJ: PRESS ARTICLES ON BNDD INVOLVEMENT IN HEROIN SEIZURE  
IN AMSTERDAM (WOND CHIU TING C1-73-0070).

REF: STATE 130262; THE HAGUE 2868

FOLLOWING SENT ACTION PARIS INFO BNDD HQS WASHDC, THE HAGUE  
JUN 26 REPEATED FOR YOUR ACTION

QUOTE

BNDD HQS FOR ENCC/DURKIN

PARIS FOR BNDD

FROM GUY

E.O. 11652: N/A

TAGS: SNAR

SUBJ: WONG CHIU TING 31-73-0070

REF: PARIS 17356; THE HAGUE 2796; BNDD 1066 2/17/73;

1. AS MENTIONED IN TELCON JUNE 22, 1973 WITH J. CHRISTIANSON  
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(EMBASSY NARCOTIC COORDINATOR, THE HAGUE) SAIC GUY CONFIRMED

STATEMENT IN PARAGRAPH 3 THAT DEFENDANTS DID IN FACT TAKE INITIATION IN TRANSACTION TO EXTENT THEY INITIALLY SENT PERSON TO U.S. TO OBTAIN AMERICAN "GANGSTAR CONNECTION" BUYER FOR DRUGS. THIS UNDERLINES NEED FOR TRAFFICKERS WITH GROSS QUANTITIES OF HEROIN (EXCESS OF FIVE OR TEN KILO QUANTITIES OF PURE HEROIN) TO LOOK FOR METHODS OF DISTRIBUTION IN U.S. MARKET. REFERENCE BNDD 1066

2. IN CASE C1-73-0070 (GF: WONG CHIU TING) SUCH WAS THE SITUATION. REFERENCE BRUSSELS 0879 DATED AS EARLY AS FEBRUARY 20, 1973. AMSTERDAM POLICE HAD BEEN ADVISED OF APPROACH AND KNOWING CRIMINAL REPUTATION AND HISTORY OF SUSPECTS, WELCOMED BNDD AGENTS AND SOI TO COME FROM U.S. TO ASSIST IN DEVELOPMENT OF INVESTIGATION. ALL ACTIVITY OF BNDD AGENTS IN HOLLAND WAS COORDINATED WITH AMSTERDAM POLICE WHO, UPON SUCCESSFUL CONCLUSION PRAISED SPECIAL AGENTS BEN C. YARBROUGH AND STEPHEN TSE FOR THEIR COOPERATION AND CONTRIBUTIONS TO THIS CASE WHICH TO DATE REPRESENTS THE LARGEST SINGLE SEIZURE OF HEROIN IN THE NETHERLANDS.

3. ENTRAPMENT IS PROTECTED BY U.S. LAW AS WELL AS DUTCH LAW. IT EXISTS WHEN UNDERCOVER ACTIVITY OF POLICE IMPLANTS IN THE MIND OF AN OTHERWISE INNOCENT PERSON THE DESIRE TO COMMIT A CRIMINAL ACT WHICH HE WOULD NOT OTHERWISE COMMIT. ENTRAPMENT WOULD INDEED EXIST IF BY ENTICEMENT, COERCION OR PERSISTENT PRESSURE A LAW-ABIDING CITIZEN WAS INDUCED INTO COMMITTING A CRIMINAL ACT. (U.S. SUPREME COURT DECISION OF SORRELLS V. U.S., 287 U.S. 435 WAS EXAMPLE OF SUCH PERSISTENT SOLICITATION.

4. THIS UNDERCOVER ACTIVITY IS TOLERATED WITHIN OUR LEGAL SYSTEM ONLY WHEN IT PROVIDES A DEFENDANT WITH A VICTIM FOR A CRIME HE PREVIOUSLY INTENDED TO COMMIT.

5. IN THE CASE OF UNITED STATES V. BECKER, 62 F2ND 1007, THREE SITUATIONS WERE INDICATED WHEN THE DEFENSE OF ENTRAPMENT WOULD NOT BE SUSTAINED: (A) WHEN THE ACCUSED WAS ALREADY ENGAGED IN AN EXISTING COURSE OR IN SIMILAR CRIMINAL BEHAVIOR: (B) WHEN THE DEFENDANT IS WILLING TO ENGAGE IN THE CRIMINAL ACTIVITY AS EVIDENCED BY HIS EASY OR QUICK PARTICIPATION.

6. NOT MERELY ONE, BUT ALL THREE POINTS EXISTED IN CASE UNDER LIMITED OFFICIAL USE

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DISCUSSION: (A) INFORMATION INDICATED GROUP WAS LONG INVOLVED IN NARCOTIC TRAFFIC; (B) INTENT WAS CERTAINLY MANIFESTED WHEN GROUP SENT INTERMEDIARY TO U.S. TO SEEK OUT UNDERWORLD CONTACT TO BUY LARGE QUANTITIES OF HEROIN; AND (C) UC OFFICERS AND SOI ARRIVED IN HOLLAND ON MARCH 13, 1973 AND LESS THAN 40 HOURS LATER DEFENDANTS WERE ARRESTED WITH POSSESSION OF CLOSE TO 30 POUNDS OF HEROIN, CERTAINLY A QUICK DELIVERY, EASILY EFFECTED BY THE DEFENDANTS.

7. THE U.S. AND NETHERLANDS ENJOY A SIMILAR RESPECT FOR RIGHTS OF INDIVIDUAL CITIZENS AND THROUGH MUTUAL APPRECIATION AND RESPECT THESE INDIVIDUAL RIGHTS ALL PRECAUTION WAS MADE IN ADVANCE (AND IN ALL FUTURE INCIDENTS OF JOINT COOPERATIVE INVESTIGATIONS WILL CONTINUE) TO AVOID THE POSSIBILITY OF SUSPECTS CLAIMING ENTRAPMENT. THE INVESTIGATION WAS A SPLENDID EXAMPLE OF CONCERN FOR INDIVIDUAL RIGHTS AND HOPEFULLY THE COURTS IN THE NETHERLANDS WILL ACCEPT THE FACTS AND ADEQUATE PENALTIES WILL BE METED OUT TO THE DEFENDANTS IN THIS CASE.  
STRAUSZ-HUPE  
UNQUOTE  
STRAUSZ-HUPE

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 05 JUL 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Office:** ACTION SNM  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 73 STATE 130262, 73 THE HAGUE 2868  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** golinofr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 29 AUG 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** WITHDRAWN <29-Aug-2001 by smithrj, PRIVACY>; RELEASED <29-Aug-2001 by smithrj>; APPROVED <01-Nov-2001 by golinofr>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** PRESS ARTICLES ON BNDD INVOLVEMENT IN HEROIN SEIZURE IN AMSTERDAM (WOND CHIU TING C1-73-0070).  
**TAGS:** SNAR  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005